

REMARKS/ARGUMENTS

Claims 1, 2 and 6 - 11 are pending in the application. Claim 2, previously withdrawn, as a result of an earlier restriction requirement, is rejoined as it contains all the limitations of allowed Claim 1 the elected species.

Claim 6 is canceled.

Claim 12 is new.

The examiner has acknowledged that claims 1, 7 - 9 are directed to allowable subject matter.

(Claim Rejections)

1. The examiner has rejected Claims 10-11 as failing to comply with the written description requirement stating that the specification and the drawings are not supportive of the limitations to the "collars and set screws". The Applicant respectfully traverses the Examiners rejections on this ground. Paragraph 36 lines 5-9 support the claimed limitations wherein the specification, as filed, disclosed "[t]he panel levelers are preferably a hex head threaded connector ... through a collar extending through the corner hole 5 in the panel. The panel leveler desirably includes a foot 3 for resting on the pedestal. The foot 3 is adjustably moved in an upward or downward direction, relative to the panel, by turning a hex head driver through the hole 5 in panel 1."

2. The examiner has further rejected Claim 10 as being indefinite stating that paragraph c line 2 "the one each" is confusing. As amended, the stated language "the one each" is deleted.

3. The Examiner has rejected Claim 10 under 35 U.S.C. 102(b) as anticipated by Mori et al (4258516). The examiner states Mori figures 2-3 shows an interchangeable raised access floor panel comprising a floor panel plate having four corner portions, four lateral edge portions, a substantially flat upper and lower surface the top and bottom surfaces defining a thickness, four threaded collars (22) in the floor panel plate, one each positioned adjacent to each of the corner portions, four set screws (28), each having an upper tool receiving end and a lower

foot end, the upper tool receiving end connected to the each of the collars and the lower foot end for urging the set screws against a pedestal support (23) head for vertical adjustment of the floor panel plate in relation to the pedestal support head.

The applicant respectfully traverses the Examiners rejection on this ground. First, Mori et al discloses, what the applicant sought to improve upon in the art, basically an adjustable pedestal using a bolt pedestal (28) and nut (22) combination adjust the length of the pedestal distance between the pedestal base and the floor plate. A setscrew is one “made of hardened steel used for holding two parts in relative position, being screwed through one part (collar) and having the point (foot) set (biasing) against the other (pedestal head)”, as claimed. T.E. French, *A Manual of Engineering Drawing For Students and Draftsmen*, p.277, §13-30 (McGraw-Hill 1947). As amended, the application claims, *inter alia*, a set screw having an upper tool receiving end and a foot end in order to bias against the pedestal support head. Mori neither teaches nor discloses the use of a setscrew having a foot end which biases against a pedestal support head, but rather discloses a pedestal support made of a bolt screwed into support base (23) to adjust the length of the pedestal support. Second, pedestal bolt (28) and collar (22) of Mori are not an element of the panel plate, but are components of the “apparatus for supporting floor plates above a substrate” (the pedestal support), as stated in the title of the reference. As claimed, with the present invention the applicants panel levelers are an element of the floor panel.

4. The Examiner states that Claim 11 would be allowable if rewritten to overcome the rejections(s) under 35 U.S.C. 112 2nd paragraph and to include all of the limitations of the base claim. As set forth in paragraph 2 above, as amended, claim 11 is now in condition for allowance.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

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Respectfully submitted,

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